REMARKS

Claims 1-18 are pending in the application. Claims 1-18 have been rejected. Claim 18 has been canceled. Claims 1-17 herewith are amended. The amendments of claim 1 are supported by the specification as originally filed, particularly on page 3, lines 5-6 and page 8, lines 18-20. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

Objections to the Claims

Claims 16-18 are objected to under 37 CFR 1.75 (c) as being in improper form because a multiple dependent claim should refer to claims in the alternative. Claims 16 and 17 have been amended accordingly.

Oath or Declaration

The oath or declaration has been identified as defective. Applicants hereby enclose a copy of the Oath or Declaration filed with the present patent application, as obtained by Applicants from the USPTO's PAIRS database. Applicants request that the Examiner specifically point out which parts of the citizenship listed, i.e. "France", is defective and which parts of the residences listed are defective.

35 U.S.C. 102(b)

Relying on 35 U.S.C. 102(b), the Examiner rejected claims 1-15 as being anticipated by Hansson (U.S. 6,023,620). Applicants respectfully traverse the Examiner's rejection, and request reconsideration. Applicants respectfully submit that limitations of their invention as claimed are not disclosed in the cited reference. Applicants respectfully submit that Hansson does not disclose a process to supply on a terminal a multimedia application using a programming agent which is automatically destroyed after its use on said terminal.

As described in the present application, on page 2, lines 10-14, by definition, mobile terminals are limited in memory capacity and display capacity. They are thus less capable of being easily maintained and updated with the latest versions of proposed applications (new software applications).

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It is not desirable, because of the limited memory capacity, to load a large number of potentially useful applications onto the mobile terminal. The process of amended claim 1 of the present application enables only one multimedia application to be stored on the terminal to avoid overload of the memory space of said terminal.

Conversely, Hansson rather deters one skilled in the art to obtain the process of amended claim 1 of the present application, because Hansson teaches that two software programs can coexist at the same time in the cellular telephone 110: for instance, the original software in a first memory 130 and the new software in a second memory 150 (reference, in Hansson: column 2, lines 19-31: column 3, lines 9-21; figure 1). Hansson even incites having simultaneously both software programs stored in the terminal, until the upgraded software has been tested and verified (reference, in Hansson: column 1, lines 36-39). Hansson, which discloses several memories 130 and 150, does not recognize the problem of reduced memory capacities raised in the present application.

Hansson does not teach or suggest a process such as defined in amended claim 1 of the present application, which overcomes the problem inherent in limited memory capacities in mobile terminals. Amended claim 1 defines a programming agent which has a fundamental interest: it is a single-use application that is deleted following its use. This is particularly advantageous when mobile terminals used have reduced memory capacities (reference, in the present application: page 8, lines 18-21).

Hansson does not disclose or suggest every feature of amended claim 1, in particular to automatically destroy the old software of Hansson following its use. The reason is that, in Hansson, it is not a matter of "use" of one application program, but a matter of "upgrading" software that implies keeping old software until a new software has been tested and verified. Thus, Hansson teaches away from automatically destroying any one of two softwares which are stored together in the terminal. Unlike Hansson, the process of

amended claim 1 enables having only one multimedia application stored at the same time into the terminal.

In view thereof, it follows that the subject matter of amended claim 1 would not have been obvious in view of Hansson at the time the invention was made. Claims 2-17 depend upon claim 1, and are distinguishable from Hansson for at least the same reasons.

In view of the foregoing remarks and amendment, the claims are now deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.